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Counsel for Defendant ALEXANDER

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY ALEXANDER,

Defendant.

No. CR 09-719 MHP

STIPULATION and ~~PROPOSED~~
ORDER TO CONTINUE BRIEFING
SCHEDULE AND MOTION HEARING

Date: March 10, 2010

Time: 2:30 p.m.

Court: The Honorable Marilyn Hall Patel

Undersigned counsel stipulate as follows:

1. The defense requests a continuance of the briefing schedule for pretrial motions. Motions are currently due on January 25, 2010, the government's responses are due on February 22, 2010, replies due March 3, 2010, with a motion hearing currently scheduled for March 10, 2010 at 2:30 p.m.;
2. Defense counsel requests a continuance of the briefing schedule as follows:

Motions Due:	March 1, 2010
Responses Due	March 29, 2010
Replies Due;	April 12, 2010
Hearing:	Wednesday, April 21, 2010 at 2:30 p.m.
3. Government counsel has no objection to defense counsel's request for additional time to file pretrial motions;

4. The parties jointly request that the Court exclude the period of time between January 25, 2010- March 1, 2010 under the Speedy Trial Act for effective preparation of counsel; namely, counsel needs more time to analyze and review the discovery and investigate leads relevant to that discovery that will form the basis for the pretrial motions. *See* 18 U.S.C. § 3161(h)(7)(A) and (b)(iv).

IT IS SO STIPULATED.

DATED: January 22, 2010

_____/S/_____

ELIZABETH M. FALK
Assistant Federal Public Defender

DATED: January 22, 2010

_____/S/_____

RICHARD CHENG
Assistant United States Attorney

I hereby attest that I have on file all holographic signatures indicated by a “conformed” signature (/S/) within this efiled document.

~~[PROPOSED]~~ ORDER

GOOD CAUSE APPEARING, it is hereby ORDERED that the briefing schedule for pretrial motions is hereby CONTINUED as reflected in this stipulation. The motion hearing currently scheduled for March 10, 2010 at 2:30 p.m. is VACATED. The motion hearing is recalendared for April 21, 2010 at 2:30 p.m.. The Court further orders and finds, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) and the reasons stated in this stipulation, that the failure to grant the requested continuance would deny defense counsel the reasonable time necessary for effective preparation of a defense. Accordingly, the Court will exclude the time period of January 25, 2010 through March 1, 2010 from the Speedy Trial calculation, and finds that the ends of justice served by granting the requested continuance outweighs the best interest in the defendant and the public in a speedy trial. *See* 18 U.S.C. §

3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED

DATED: 1/25/2010

